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DECLARATION OF INDEPENDENCE,  
AND  
CONSTITUTION  
OF THE  
UNITED STATES OF AMERICA,  
WITH ITS  
AMENDMENTS.

FROM JUDGE STORY'S COMMENTARIES.

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## DECLARATION OF INDEPENDENCE.

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WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident—that all men are created equal ; that they are endowed by their Creator with certain inalienable rights ; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed ; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence indeed will dictate, that governments long established should not be changed for light and transient causes, and accordingly, all experience hath shown, that

mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into a compliance with his measures.

He has dissolved representative houses repeatedly, for opposing with manly firmness his invasion on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected ; whereby the legislative powers, incapable of annihilation, have returned to the people at large, for their exercise : the state remaining in the mean time, exposed to all the dangers of invasion from without, and convulsions from within.

He has endeavored to prevent the population of these states ; for that purpose obstructing the laws for naturalization of foreigners ; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of new officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws, giving his assent to their acts of pretended legislation.

For quartering large bodies of armed troops among us.

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states.

For cutting off our trade with all parts of the world.

For imposing taxes on us without our consent.

For depriving us, in many cases, of the benefits of trial by jury.

For transporting us beyond seas to be tried for pretended offences.

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies.

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments.

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarce

paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation !

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections among us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms ; our repeated petitions have been answered only by repeated injuries. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connection and correspondence. They too, have been deaf to the voice of justice and consanguinity. We must therefore acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind, enemies in war, in peace, friends.

We, therefore, the representatives of the United States of America, in general congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, That these united colonies are, and of right ought to be **FREE AND INDEPENDENT STATES**; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain, is, and ought to be, totally dissolved; and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other, our lives, our fortunes, and our sacred honor.

# **CONSTITUTION OF THE UNITED STATES,**

Framed at Philadelphia, in 1787, by a Convention of Delegates from the States of New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia,—ratified by the Convention of Eleven States, in 1788,—and went into operation the 4th of March, 1789,

## **WITH THE AMENDMENTS.**

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**WE**, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

### **ARTICLE I.**

#### **SECTION I. Legislative Powers.**

**1.** All legislative powers herein granted, shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.

**SECTION 2.—**Members of House of Representatives how chosen. Qualification. Apportionment. Vacancies, how filled. Officers. Impeachment.

**1.** The house of representatives shall be composed of members chosen every second year by

the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

2. No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the representation from any state, the executive authority thereof

shall issue writs of election to fill such vacancies.

5. The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SECTION III.—Senate, how chosen. Classification. Qualification. Vice-President's vote. Officers. Try Impeachments. Judgment on Impeachment.

1. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class, at the expiration of the fourth year, and of the third class, at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments, until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a senator, who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of the state for which he shall be chosen.

4. The vice-president of the United States shall be president of the senate, but shall have no vote, unless they be equally divided.

5. The senate shall choose their other officers, and also a president *pro tempore*, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

6. The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend farther than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the United States; but the party convicted shall nevertheless be liable, and subject to, indictment, trial, judgment, and punishment according to law.

**SECTION IV.—Elections for Senators and Representatives, how held.** Congress assemble annually.

1. The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the congress may, at any time, by law, make or alter such regulations, except as to the places of choosing senators.

2. The congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

**SECTION V.—Elections, by whom judged. Quorum. Rules. Journal. Adjournment.**

1. Each house shall be the judge of the elec-

tions, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question, shall, at the desire of one fifth of those present, be entered on the journal.

4. Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

#### SECTION VI.—Compensation. Privileges. Members not appointed to office.

1. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to, and returning from, the same; and for

any speech or debate in either house, they shall not be questioned in any other place.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time: and no person holding any office under the United States, shall be a member of either house during his continuance in office.

**SECTION VII.—Revenue. Bills. Orders, resolutions, &c., to be presented to the President of the United States for approval.**

1. All bills for raising revenue, shall originate in the house of representatives; but the senate may propose, or concur with amendments, as on other bills.

2. Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the president of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas

and nays, and the names of the persons voting for and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days, (Sundays excepted,) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the congress by their adjournment, prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote, to which the concurrence of the senate and house of representatives may be necessary, (except on a question of adjournment,) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

**SECTION VIII.—**Congress to lay Taxes ; Borrow Money ; Regulate Commerce, Naturalization, Bankruptcies, Coin, Weights, and Measures ; Punish Counterfeiting ; Create Post-Offices ; Promote Science ; Constitution Courts ; Punish Piracies ; Declare War ; Raise Armies ; Maintain a Navy ; Organize the Militia ; have Legislation over certain Places.

1. The congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States ; but all duties, imposts, and excises, shall be uniform throughout the United States ;

2. To borrow money on the credit of the United States ;

3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes ;
4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States ;
5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures ;
6. To provide for the punishment of counterfeiting the securities and current coin of the United States ;
7. To establish post-offices, and post-roads ;
8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors, the exclusive right to their respective writings and discoveries ;
9. To constitute tribunals inferior to the supreme court ;
10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations ;
11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water ;
12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years ;
13. To provide and maintain a navy ;
14. To make rules for the government and regulation of the land and naval forces ;
15. To provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions ;

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress.

17. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings:—And

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SECTION IX.—Importation of persons after 1808. Habeas Corpus. Attainder. Tax. No exportation duty. No preference in Commerce or Tonnage. Money, how drawn. No Titles to be granted.

1. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus

shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation, or other direct tax, shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any state.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECTION X.—States not to make Treaties, lay Imposts, or Duty on Tonnage, &c.

1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder

**ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.**

**2.** No state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the congress.

**3.** No state shall, without the consent of congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II.

**SECTION I.—Executive Power. Electors, how appointed.**

**Process of Election. Qualifications of the President of the United States. Vice President may officiate. Compensation. Oath.**

**1.** The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected as follows:—

**2.** Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress; but no senator or represen-

tative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. \* [The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose, by ballot, one of them for president; and if no person have a majority, then from the five highest on the list, the said house shall, in like manner, choose the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice.

In every case, after the choice of the president,

\* This Section was amended in 1803. See 14th Article of Amendments, p. 31.

the person having the greatest number of votes of the electors, shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice-president.]

4. The congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person, except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the congress may, by law, provide for the case of removal, death, resignation, or inability both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

7. The president shall, at stated times, receive for his services a compensation, which shall be neither increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his

office, he shall take the following oath or affirmation :—

9. "I do solemnly swear, or affirm, that I will faithfully execute the office of president of the United States, and will to the best of my ability preserve, protect, and defend the constitution of the United States."

**SECTION II.—Powers of the President. Make Treaties. Appoint Officers. Vacancies in office.**

1. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power, by, and with, the advice and consent of the senate, to make treaties, provided two thirds of the senators present concur; and he shall nominate, and by, and with, the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other offices of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments.

3. The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

**SECTION III.—Duties of the President of the United States.**

1. He shall from time to time give to the congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may on extraordinary occasions, convene both houses, or either of them, and, in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

**SECTION IV.—Officers removable by Impeachment.**

1. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

**ARTICLE III.**

**SECTION I.—Judicial Powers and Tenure of Judges.**

1. The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their of-

fices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

**SECTION II.—Extension of Judicial Power. Supreme Court Jurisdiction. Trials by Jury.**

1. The judicial power shall extend to all cases in law and equity, arising under this constitution, the laws of the United States, and the treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states—between a state and citizens of another state—between citizens of different states—between citizens of the same state claiming lands under grants of different states—and between a state, or the citizens thereof, and foreign states, citizens, or subjects.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury: and such trial shall be held in the state where the said crimes shall have been committed; but when no t

mitted within any state, the trial shall be at such place or places as the congress may by law have directed.

### SECTION III.—Treason.

1. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeitures, except during the life of the person attainted.

## ARTICLE IV.

### SECTION I.—Acts of States Accredited.

1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

### SECTION II.—Citizens' Privileges. Persons charged with Crimes fleeing.

1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

3. No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.

### SECTION III.—New States. Territories.

1. New states may be admitted by the congress into this Union ; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of the states, without the consent of the legislatures of states concerned, as well as of the congress.

2. The congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States ; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

### SECTION IV.—States protected.

1. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion ; and on application of the legislature, (or of the executive, when the legislature cannot be convened,) against domestic violence.

## ARTICLE V.

### Amendments, how attained.

1. The congress, whenever two thirds of both houses shall deem it necessary, shall propose

amendments to this constitution, or on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

## ARTICLE VI.

Debts prior to the adoption of the Constitution. Treaties, law of the land. Oath or affirmation to members.

1. All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

2. This constitution, and the laws of the United States, which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial offi-

cers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution: but no religious test shall ever be required as a qualification to any office or public trust under the United States.

## ARTICLE VII.

### Ratification.

1. The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.

*Done in convention, by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty seven, and of the independence of the United States of America, the twelfth. In witness whereof, we have hereunto subscribed our names.*

GEO. WASHINGTON,  
President and Deputy from Virginia.

*New Hampshire.*

John Langdon,  
Nicholas Gilman.

*Massachusetts.*

Nathaniel Gorham,  
Rufus King.

*Connecticut.*

William Samuel Johnson,  
Roger Sherman.

*New York.*

Alexander Hamilton.

*New Jersey.*

William Livingston,  
David Brearly,  
William Patterson,  
Jonathan Dayton.

*Pennsylvania.*

Benjamin Franklin,  
Thomas Mifflin,  
Robert Morris,  
George Clymer,  
Thomas Fuksimons,  
Jared Ingersoll,  
James Wilson,  
Gouverneur Morris.

*Delaware.*

George Reed,  
Gunning Bedford, jun.  
John Dickinson,  
Richard Bassett,  
Jacob Broom.

<i>Maryland.</i>	Hugh Williamson.
James M'Henry,	<i>South Carolina.</i>
Daniel of St. Tho. Jenifer,	John Rutledge,
Daniel Carroll.	Charles C. Pinckney,
<i>Virginia.</i>	Charles Pinckney,
John Blair,	Pierce Butler.
James Madison, jun.	<i>Georgia.</i>
<i>North Carolina.</i>	William Few,
William Blount,	Abraham Baldwin.
Richard Dobbs Spaight,	
Attest:	WILLIAM JACKSON, Sec.

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### AMENDMENTS.

Articles in addition to, and amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth article of the original Constitution.

#### ARTICLE I.

Religion. Press. Speech. Right of Petition.

Congress shall make no new law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

#### ARTICLE II.

Right to bear Arms.

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

#### ARTICLE III.

No Soldier to be billeted.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

## ARTICLE IV.

Unreasonable Searches prohibited.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated ; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## ARTICLE V.

Proceeding in Criminal Cases. Person and Property sacred.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger ; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb ; nor shall be compelled in any criminal case to be a witness against himself ; nor be deprived of life, liberty, or property, without due process of law ; nor shall private property be taken for public use without just compensation.

## ARTICLE VI.

Mode of Trial in Criminal Cases.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law ; and to be informed of the nature and cause of the accusation ; to be confronted with the witnesses against him ; to have compulsory process for obtaining witnesses in his favor ; and to have the assistance of counsel for his defence.

## ARTICLE VII.

Mode of Trial in Civil Cases.

In suits at common law, where the value in con-

troversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

### ARTICLE VIII.

#### Bail. Fine. Punishments.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

### ARTICLE IX.

#### Rights.

The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people.

### ARTICLE X.

#### Powers reserved to the People.

The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people.

### ARTICLE XI.

#### Limitation of Judicial Power.

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state.

### ARTICLE XII.

#### Manner of electing President and Vice-President.

1. The electors shall meet in their respective States, and vote by ballot for president and vice-president, one of whom at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president, and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-

president, and of the number of votes for each ; which lists they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the president of the senate ; the president of the senate shall, in presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted ; the person having the greatest number of votes for president shall be the president, if such number be a majority of the whole number of electors appointed ; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But, in choosing the president, the votes shall be taken by states, the representation from each state having one vote ; a quorum for this purpose shall consist of a member or members of two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president.

2. The person having the greatest number of votes as vice-president shall be the vice-president, if such number be a majority of the whole number of electors appointed ; and if no person have a majority, then, from the two highest numbers on the list, the senate shall choose the vice-president ; a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice-president of the United States.

United States.	Square miles.*	Census of 1840.
Maine . . . . .	35,000 . . . . .	501,793
New Hampshire, . . . . .	9,500 . . . . .	284,574
Vermont, . . . . .	10,212 . . . . .	291,948
Massachusetts, . . . . .	7,800 . . . . .	737,699
Rhode Island, . . . . .	1,212 . . . . .	108,830
Connecticut, . . . . .	4,664 . . . . .	309,978
New York, . . . . .	48,000 . . . . .	2,428,921
New Jersey, . . . . .	8,300 . . . . .	373,306
Pennsylvania, . . . . .	46,000 . . . . .	1,724,033
Delaware, . . . . .	2,120 . . . . .	78,085
Maryland, . . . . .	13,800 . . . . .	469,232
Virginia, . . . . .	70,000 . . . . .	1,239,797
North Carolina, . . . . .	48,000 . . . . .	753,419
South Carolina, . . . . .	33,000 . . . . .	594,398
Georgia, . . . . .	62,000 . . . . .	691,392
Alabama, . . . . .	50,000 . . . . .	590,756
Louisiana, . . . . .	48,000 . . . . .	352,411
Mississippi, . . . . .	46,000 . . . . .	375,651
Tennessee, . . . . .	45,000 . . . . .	829,210
Kentucky, . . . . .	42,000 . . . . .	779,826
Ohio, . . . . .	44,000 . . . . .	1,519,467
Indiana, . . . . .	36,000 . . . . .	685,866
Illinois, . . . . .	64,000 . . . . .	476,183
Missouri, . . . . .	68,000 . . . . .	383,702
Michigan, . . . . .	45,000 . . . . .	212,267
Arkansas, . . . . .	50,000 . . . . .	97,574
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Columbia, Dist., . . . . .	100 . . . . .	43,712
Florida, Territory, . . . . .	45,000 . . . . .	54,477
Wisconsin, do. . . . .	270,000 . . . . .	30,945
Iowa, do. . . . .	400,000 . . . . .	43,112
On board U. S. vessels, . . . . .	. . . . .	6,100
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Total,		17,068,666

\*From S. G. Goodrich and Brooks.